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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STIPULATION TO DISALLOW
PROOF OF CLAIM NO. 10725-00968**

USACM Liquidating Trust (the "USACM Trust"), by and through its counsel,
Lewis and Roca LLP, and Goold Patterson Ales & Day ("Goold Patterson") on its own
behalf, hereby stipulate:

LEWIS
AND
ROCA
LLP
LAWYERS

1 1. Goold Patterson filed Proof of Claim No. 10725-00968 on November 3,
2 2006, in the amount of \$79,372.96 and Proof of Claim No. 10725-00761 on November 9,
3 2007, also in the amount of \$79,372.96. These Proofs of Claim are identical.

4 2. By Order dated April 30, 2007, the Hon. Linda B. Riegle reassigned Claim
5 No. 10725-00761 to the Hon. Mike K. Nakagawa [DE 3626] to resolve the USACM
6 Trust's Omnibus Objection to Claims Asserting Administrative Expense Status (the
7 "Objection") [DE 3253] as it pertained to that claim. Claim No. 10725-00968 remains
8 pending before this Court.

9 3. The USACM Trust and Goold Patterson have agreed that Proof of Claim
10 No. 10725-00968 be disallowed because it is duplicative of Proof of Claim No. 10725-
11 00761.

12 **LEWIS AND ROCA LLP**

13 By: /s/ RC (#6593)

14 Susan M. Freeman, AZ 4199 (*pro hac vice*)

15 Rob Charles, NV 6593

16 John Hinderaker, AZ 18024 (*pro hac vice*)

17 Counsel for USACM Liquidating Trust

18 -and-

19 **GOOLD PATTERSON ALES & DAY**

20 By: 

21 Kelly J. Brinkman

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